

STATE PROPERTIES COMMITTEE

Tuesday, November 8, 2005

The meeting of the State Properties Committee was called to order at 10:04 A.M. by Chairman Jerome F. Williams. Other members present were, Richard Woolley, Esquire, representing the Department of Attorney General, Mr. Robert Griffith, representing the Department of Administration and Mr. Robert Kay, Public Member. Also present were, Ms. Marlene McCarthy-Tuohy and Mr. John Ryan, from the Department of Administration; Misses Grace Smith and Valaria Bianco and Messrs Paul Carcieri, David Coppotelli, Marc Malkasian and Rick Kalunian, from the Department of Transportation; Ms. Barbara Hurst, Deputy Public Defender, from the Office of the Public Defender; Mr. Robert C. Bromley, from Senate Fiscal; Mr. Daniel Barbarisi, from the Providence Journal; Messrs Steven E. Courville, Moe Clare, Clark Curtis and Councilman Terrence Hasset, speaking for the Providence Polo Club.

1. OLD BUSINESS

2. NEW BUSINESS – Miscellaneous –The next scheduled meeting of the State Properties Committee is scheduled to be held on November 22, 2005.

The minutes of the meeting held on October 25, 2005 were approved. The Chair, Mr. Williams noted revisions that were made to the Action Request Form relating to Land Acquisition. The Office of Accounts and Controls requested that additional fields be added to the form. These revisions will ensure that the Department can keep the fixed asset system up to date. There were no other changes made to the

form.

A copy of the Schedule for the State Properties Committee for the ensuing year was submitted to each member for review.

ITEM A - DEPARTMENT OF ADMINISTRATION – A request was made by the Department for final approval and signatures on an Easement with Narragansett Electric for the Cranston Street Armory.

At the request of the Department, this item was deferred to November 22, 2005.

ITEM B – OFFICE OF THE SECRETARY OF STATE – A request was made by the Office of the Secretary of State for final approval and signatures on the option to extend the Lease with Paolino Properties, LP for space at 343-344 Westminster Street, Providence.

At the request of the Department, this item was deferred to November 22, 2005

ITEM C – OFFICE OF THE PUBLIC DEFENDER – A request was made by the Office of the Public Defender for approval to enter into negotiations for leasing of new office space in the Providence area.

The Office of the Public Defender requested permission to initiate negotiations with the property owner who submitted the highest rated proposal in response to the recent Request for Proposals. The highest rated proposal was submitted by Belvoir Properties, Incorporated for the property located at 140 Pine Street, Providence. The principals of Belvoir Properties are Jim, Marilyn and David Winoker. Mr. John Ryan commended Ms. Hurst and her staff for keeping the project on track.

This property was the highest rated of four bids submitted. It was

highest rated in cost, conformance and the March 2006 occupancy date. Belvoir Properties had the lowest rate. The Office of the Public Defender will be the only tenant in the space. The rate is \$24.50 per square foot. This includes parking in a nearby parking garage.

A motion was made by Mr. Griffith and seconded by Mr. Woolley to approve the request of the Office of the Public Defender for approval to enter into negotiations for leasing of new office space in the Providence area.

Passed Unanimously

ITEM D – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for conceptual approval to convey property on Division Street, West Greenwich.

The Department requested conceptual approval to convey 20,219 square feet of land at the intersection of Division Street and New London Turnpike in West Greenwich to Arlington RV Supercenter. Arlington RV Supercenter is relocating their recreational vehicle business which is located on Route 2 in Warwick to the site off Division Street at New London Turnpike. The new location provides improved access for their customers. The Department's parcel is at the front of the new site and Arlington RV plans to beautify that area. The Department's Land Sales Committee approved the sale contingent upon approval of a physical alteration permit and the condition that if any utilities remain within the parcel, easements will be necessary in the conveyance document. Correspondence has been received from the Town of West Greenwich indicating that it has no objections to this transfer, nor does it have any use for this parcel,

and that the Town supports this proposal. Rhode Island Housing has also submitted correspondence indicating an interest in the property for the purpose of developing affordable housing. The Department will return when the surplus process has been completed.

A motion was made by Mr. Woolley and seconded by Mr. Griffith to approve the request of the Department for conceptual approval to convey property on Division Street, West Greenwich.

Passed Unanimously

ITEM E – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on a Certificate of Transfer of Land located on Girard Avenue, Newport, to the Board of Governors, CCRI Campus.

This is an updated Certificate of Transfer of Land located on Girard Avenue, Newport to the Rhode Island Board of Governors for Higher Education from the Department. Girard Avenue is an obsolete parcel of land consisting of approximately 28,880 square feet of land. The Rhode Island Board of Governors for Higher Education would like this parcel for beautification necessary for the Newport Campus. The State Properties Committee approved the transfer on September 9, 2003. This transfer was not completed because construction was delayed in 2003. The construction is now complete and the Department is requesting this updated Certificate of Transfer of Land be approved to be forwarded to Governor Carcieri for his signature. The terms and conditions will remain the same.

A motion was made by Mr. Griffith and seconded by Mr. Woolley to

approve the request of the Department for approval and signatures on a Certificate of Transfer of Land located on Girard Avenue, Newport, to the Board of Governors, CCRI Campus.

Passed Unanimously

ITEM F – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for final approval and signatures a License Agreement with CVS of North Kingstown, Incorporated for use of property located on Post Road, North Kingstown.

CVS would like to renew and extend the term of its License Agreement with the Department. The current term commenced on December 14, 2003 and expires on December 13, 2006 and rental is \$520.00 per month. The new License would be for ten (10) years commencing on November 1, 2005 and expiring October 31, 2015. Rent is based on the prevailing market conditions, which is \$520.00 per month. At the end of the third and the seventh years of the License, the Department has the right to decrease, preserve or reasonably increase the fee. This License is for approximately 12,484 square feet of land to be used for parking and beautification.

A motion was made by Mr. Woolley and seconded by Mr. Woolley to approve the request of the Department for final approval and signatures a License Agreement with CVS of North Kingstown, Incorporated.

The Chair, Mr. Williams noted the Department has the ability in the third and seventh year to change the license fee and inquired if the Department would come back to the Committee and provide an update. Discussion ensued regarding the fee. The Department

indicated that an updated appraisal was conducted on August 30, 2005. The findings showed no significant increase in the per unit value of the general business land sales in the vicinity of the subject parcel.

Mr. Robert Kay joined the meeting at 10:20 A.M.

The Chair, Mr. Williams asked that the Department send the Committee a memo indicating whether or not there was a change in the fee.

An amended motion was made by Mr. Woolley and seconded by Mr. Griffith to approve the request of the Department for final approval and signatures a License Agreement with CVS of North Kingstown, Incorporated for use of property located on Post Road, North Kingstown. Inherent in this motion is the Department notifying the Committee by a memo indicating whether or not there is a change in the fee.

Passed Unanimously

ITEM G – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for final approval and signatures on a Deed conveying land on Crary Street, Providence to Crary Realty Associates, Inc.

This Deed transfers approximately 7,081 square feet of land on the southerly side of Crary Street, Providence to the abutting property owner, Crary Realty Associates, Inc. The Department received conceptual approval on August 30, 2005. The Department expects to realize \$176,875.00 in the form of a credit to offset its obligations that were initiated as part of the acquisition of a portion of Crary Realty

Associates, Inc.'s building.

A motion was made by Mr. Griffith and seconded by Mr. Woolley to approve the request of the Department for final approval and signatures on a Deed conveying land on Crary Street, Providence to Crary Realty Associates, Inc.

Passed Unanimously

ITEM H – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for final approval and signatures on a License Agreement with Karns Law Group for use of property located on Valley Road, Middletown.

Karns Law Group seeks to enter into a License Agreement for the use of 2,305 square feet of land located adjacent to their business at 6 Valley Road, Middletown for beautification. The License is for a five - year period. Rent is at the rate of \$1,383.00 per year.

A motion was made by Mr. Woolley and seconded by Mr. Griffith to approve the request of the Department for final approval and signatures on a License Agreement with Karns Law Group for use of property located on Valley Road, Middletown.

Passed Unanimously

ITEM J – DEPARTMENT OF ADMINISTRATION – Division of Motor Vehicles

When the Department initially placed this matter on the Agenda, it was the intent to request permission to initiate negotiations with the highest rated proposer of the remaining two that the Department had left, after terminating negotiations with Independence Park for the Cranston site on Plainfield Pike, for the DMV headquarters space.

After a number of meetings, it has been decided that the Department would like to seek permission to go back out to RFP. The Department feels that it is in the State's best interest to do so. The Department was requesting to formally cancel LP 9, which was that particular RFP for the DMV and to seek permission to advertise for new proposals.

The Chair Mr. Williams noted this is a very important project and is one of the reasons the Department is looking to go back out for an RFP. He went on to say, it is unfortunate that the events occurred relative to the last proposal, noting that there were a number of things based on the sale of that retail complex that hindered the Department's ability to move forward. The Chair went on to say, the Department did go back to the two previous bidders and he agrees that it is in the State's best interest to go out for an expedited RFP. It's a cleaner structure and the Department should go out and see what is out there.

Mr. Griffith inquired if there was anything that would prevent the new owner of the property (the Cranston site) from responding to the new RFP. The Chair said anyone could respond. The Department learned that in the instance of the Cranston site, it was not the landlord who was bidding on this and the Department is looking to deal with the principals. In this particular case it was not the broker who was the problem, it was the sale behind the scenes. The Department wants to make certain it has all the information it needs before making a decision.

The Department is seeking to formally cancel LP97 and to seek permission to advertise. The Chair stated for the record that the

Department is going to move forward on an expedited fashion. The RFP will stay essentially the same. The Department will update the data requirements and will request that the principals reply to the RFP

A motion was made by Mr. Griffith and seconded by Mr. Kay to cancel the existing RFP and authorize the issuance of a new RFP.

Passed Unanimously

ITEM I – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A Request was made by the Department for approval and signatures on an Agreement and Assignment of Development Rights with the City of Warwick for development rights to the Morris Farm, on Warwick Avenue and West Shore Road, Warwick.

The Department was not ready to move on this item, and requested that the item be deferred to November 22, 2005

ITEM K – DEPARTMENT OF ADMINISTRATION – A presentation was made relating to proposed usage of Station Park.

The Chair Mr. Williams stated he had a preview of this presentation. There will be no action taken today. He stated this is a unique concept for the use of Station Park by the Providence Polo Club.

Mr. Steven Courville, President of the club began the presentation. The Providence Polo Club is proposing a long - term lease for the use of State Park to have Polo matches from May to October for the next ten (10) years. A proposal containing architectural renderings and pictures of proposed events was distributed to the Committee members. The Providence Polo Club would like to promote polo in a

very high profile location and also intends to have social events to raise money for various charities. Mr. Courville pointed to pictures of Station Park indicating the run down condition and stated the club would like to improve the condition of the park. The club hopes to have a fully operational competition polo field by May, 2006. There would be no permanent structures built. A tent would be erected for the season and taken down. Preliminary discussions have taken place with Amtrak and they are excited about the proposal. The club has had preliminary discussions with Brown University to allow them use of the field if they were interested in starting a polo team.

Mr. Clark Curtis stated that the club would be beautifying and creating green space in a section of Providence. Councilman Hasset spoke in support of this proposal.

Mr. Griffith stated he felt the concept intriguing. He did question whether or not this would preclude current scheduled uses of Station Park, which many people have come to think of as the "Town Common" for Providence and many cultural and ethnic festivals take place there already. The club responded this has been anticipated and discussed at length. Providence Polo would require some restriction as to what could go there. Concerts such as WBRU would probably be adverse to the condition of the field. The club is open to other uses, but has one specific requirement. If a group wants to use Station Park for an event that might damage it, it must leave it as it was found. The events that the club would like to present there would be akin to polo, to provide a definite cultural and ethnic center for the City, keeping in the spirit of the "Town Common". The park

would be closed to vehicular traffic. A company has been identified to create a “softer” ball for safety purposes. The club stated it wants to make sure that people enjoy, not just polo, but the green space. It will limit it as little as possible and move forward with the concept that it is part of the community and this is a community park.

There will be restrictions, but it would have to be consistent with maintaining the integrity of the field. Mr. Griffith stated he does not disagree with the idea and he is intrigued with it. He referred to the pictorial proposal that the club had presented and commented that he did not see one person of color in any of the photographs. He went on to say that this is a site where many ethnic, heritage events take place annually and he would be concerned that the issue is not addressed. Councilman Hasset stated he is aware of that. He further stated, this is something that the young urban kids should see and experience, in addition to the money that will be generated for charities. A lengthy discussion took place. The club stated that they are not saying that a specific group will not be able to use it. The club would not be discriminatory. If a group wanted to use the park, the grass would have to be left in the same condition as it was when the group came in.

Mr. Woolley inquired about who would have control of the use of the park. The club and State Properties would work together. A lot of the types of events that are held now would be continued except those that would be adverse to the condition of the field. The Chair Mr. Williams stated that certain perimeters would be set up and any sub-leases would have to come before the Committee.

Discussions have taken place with Fidelity Investments and they have no opposition.

Mr. Griffith spoke regarding the use of water and asked that the club look into the practicality of using non potable water for irrigation purposes rather than City water. Also, the State has a structure of licenses and leases that provide no fee for charitable organizations and he asked that the club take that into consideration in sub-leases or licenses for the facility. The last point he made was regarding liquor. Mr. Griffith stated he would like to see some specific proposals regarding that.

The Chair, Mr. Williams stated the next step for the Providence Polo Club would be to return to the Committee for conceptual approval so they could go forward with negotiating a Lease. He stated some of the items he would need to see and talk about regarding this proposal. One would be a business plan. The club spoke about renovation, irrigation, drainage, etc. and he would like to see a business plan relative to that. Weight limitations had been discussed and he also would like to make certain that there are no issues with that. Mr. Williams asked that the State Properties Committee records be checked to see what, if any, events were scheduled for the ensuing year. After that is done, the club can return and the next step would be the lease terms. The Department's legal counsel would be involved in that.

The Chair summarized, based on everything that has been presented, this will bring forward a lot of community activity that will provide, especially for the urban area, opportunities for the children

and others to see a different event that they would not normally see. He feels this could be a win-win. No action was taken at this point. All matters presented to the Committee were approved by all present. There being no further business to come before the Committee, the meeting adjourned at 11:10 A.M.

Anne L. Lanni, Executive Secretary